

REMARKS

Claims 1, 2, 4 and 6-9 are presently pending in the application.

The Examiner has rejected claims 1-9 under 35 U.S.C. § 112, second paragraph, as being indefinite, with respect to several terms in claims 1 and 6. Line 3 of claim 1 has been amended to refer to “the layers” instead of “them,” and claim 6 has been amended to depend from claim 2, to correct the antecedent basis, as well as correcting the spelling in claim 6. Accordingly, reconsideration and withdrawal of the rejection are respectfully requested.

The Examiner has rejected claims 1, 2, 4 and 9 under 35 U.S.C. § 103(a) as being unpatentable over various combinations of the prior art references. While not necessarily agreeing with the Examiner’s rejections or the arguments in support thereof, claim 1 has been amended to incorporate the subject matter of claim 3, which has not been rejected over the prior art. Since all of the remaining claims now depend directly or indirectly from amended claim 1 (original claim 3), the rejections are moot, and reconsideration and withdrawal of the rejections are respectfully requested.

The Examiner has objected to claims 3 and 5-8 as being dependent upon a rejected base claim, but indicated them to be allowable if rewritten in independent form. Accordingly, as noted above, claim 3 has been rewritten in independent form as amended claim 1, and claims 5-8, as well as the remaining claims 2, 4 and 9, depend directly or indirectly from now allowable claim 1. Therefore, reconsideration and withdrawal of this objection are respectfully solicited.

Application No. 10/763,916
Reply to Office Action of September 3, 2004

In view of the above Amendments and Remarks, it is submitted that all of the claims in the application fully comply with the requirements of 35 U.S.C. § 112 and patentably distinguish over the prior art of record. Reconsideration and an early Notice of Allowance are respectfully requested.

Respectfully submitted,

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(Date)

By:



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Enclosure – Petition for Extension of Time (one month)